

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:19-CV-00101-KDB-DCK**

**BRIAN BLACKBURN and  
CANDY KIZIAH,**

**Plaintiffs,**

**v.**

**CATAWBA COUNTY, NORTH  
CAROLINA, et al.,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court upon its own motion following its previous order on July 16, 2020. On April 9, 2020, Plaintiffs informed the Court that they no longer wished to proceed on the merits of their claims and asked the Court to dismiss the case. (Doc. No. 33, at II.B, III.A); (Doc. No. 34, at 1). On July 16, 2020, the Court ordered Plaintiffs to file a stipulation of dismissal in accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(ii) or otherwise advise the Court that they wish to proceed with the action within 14 days of the filing of the order. In the same order, the Court informed Plaintiffs that if no stipulation of dismissal is filed and the Court does not otherwise hear from the parties within 14 days, the Court will dismiss the action without prejudice under Rule 41(a)(2).

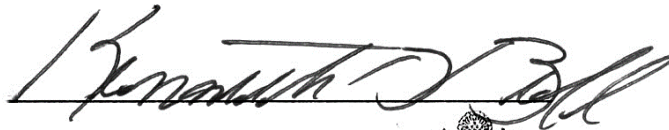
The 14-day deadline has now expired and Plaintiffs have not filed a stipulation of dismissal or otherwise informed the Court that they wish to proceed with this action. Accordingly, the Court will dismiss this case without prejudice at Plaintiffs' request.

**IT IS THEREFORE ORDERED** that Plaintiffs' Complaint, (Doc. No. 1), is  
**DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(a)(2).

The Clerk of Court is directed to close this case.

**SO ORDERED.**

Signed: August 4, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

